

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- v. -

JERISON ROJAS VILLALOBOS,

Defendant.

20-cr-00060 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On April 19, 2023, the defendant was sentenced principally to a term of imprisonment of 48 months.

On December 5, 2023, the Court received the defendant's *pro se* letter-motion, dated November 27, 2023, requesting the appointment of counsel to assist with his motion for a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline amendment, which went into effect on November 1, 2023 and applies retroactively. ECF No. 63. The United States Probation Department has issued a report indicating that the defendant is not eligible for a sentence reduction. ECF No. 66.


The Court has considered the record in this case, and it is hereby ORDERED that the defendant is ineligible for this reduction. The defendant does not satisfy the criteria for a status-points reduction under USSG § 4A1.1(e) because he did not receive an enhancement for committing the instant offense while under a criminal justice sentence. Nor is the defendant eligible for a reduction for zero-point offenders under USSG § 4C1.1 because the defendant received an adjustment under USSG § 3B1.1 (Aggravating Role). *See* USSG § 4C1.1(10).

The defendant's motion for counsel is also denied. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 63 and to send a copy of this Order and the Probation Department's report at ECF No. 66 to the defendant at:

Fed. Reg. No. 25984-104
United States Penitentiary
P.O. Box 1002
Thomson, IL 61285

Dated: February 8, 2024
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge